

Rollins, Christopher

From: Noggle, William
Sent: Monday, October 28, 2013 4:36 AM
To: Rollins, Christopher
Subject: FW: Storis being exported in violation of Toxic Substances Control Act
Attachments: Storis 10-25-13 correspondence with USCG-GSA-EPA.pdf; CGC Storis explanation gsa.pdf; Sealed Bid - IRIS and PLANETREEE.pdf

Follow Up Flag: Follow up
Flag Status: Completed

Chris,
Can you call me when you get a chance.

Thanks,
Bill
[REDACTED] (mobile)

-----Original Message-----

From: Polly Parks [<mailto:Polly.Parks@emrgroup.com>]
Sent: Sunday, October 27, 2013 5:44 PM
To: Noggle, William
Cc: Olin, Joyce
Subject: RE: Storis being exported in violation of Toxic Substances Control Act

The file Storis 10-25-13 also contains the Hazmat Report at the end.

This is from an email from Jan Ottman this a.m.:

I have not heard anything regarding any EPA waivers that were issued in this instance. I had contacted EPA with concerns about the PCBs on board the ship on Monday, 21 October. Christopher Rollins from EPA Region 9 called me on Tuesday and I gave him information about the ship which likely started the effort to collect information that is referred to in the correspondence that I saw from Ms. Parks. When I didn't hear anything late Tuesday or early Wednesday as had been promised, I called Mr Rollins and he told me that he had paperwork that had been forwarded to him from GSA that came from USCG indicating the ship was below regulated levels and that it was likely there was going to be no action from EPA related to STORIS. There was no mention of any waiver.

Earlier in the week I also spoke with Lieutenant Commander David Melton, the executive officer of USCG Base Ketchikan. LCDR Melton was the last Engineering Officer on STORIS and he indicated to me that while he was assigned to the ship, there were asbestos and lead paint surveys performed but in his best recollections, there had NOT been any studies for the presence of PCBs on STORIS. His cell number is (907) 617-1172.

It also bears mentioning that since mid-summer, I and other members of the STORIS Working Group have had conversations with Gary Whitney, General Manager of the Mare Island Ship Yard in Vallejo, CA. Mr Whitney indicated that he, himself, had walked through STORIS with the intent of potentially bidding on her as a small side job for dismantling. Mr Whitney indicated that he chose not to bid on the ship because of what he saw on board. He indicated the vessel was in excellent physical condition and would require little in the way of reactivation, making her an excellent museum ship candidate. However, though he did not actually perform any physical testing aboard the vessel to confirm the presence of PCB-containing materials on board, he noted several locations where there were materials that, in his experience, would likely have harbored PCB contamination. As a result of his walk-through and assessment that there was a high likelihood that PCBs were present, he chose not to bid

on the ship as scrapping her would not have been a profitable venture. It is my understanding that the buyer, Mark Jurisich, had contacted Mare Island Ship Yard to have certain tasks performed on the ship and Mare Island SY turned down the work. As STORIS never left her Suisun Bay moorings until she was towed out Friday night, she never went anywhere for any kind of work prior to the commencement of the tow.

I'm also attaching the GSA notice; note they make it sound like she is seaworthy and no mention of any hazardous materials or PCBs. I also attach a GSA notice of a sealed auction for two USCG sea bouys in 2011 that you and I corresponded about. There is a significant difference in the degree of information provided about hazardous material and it came from the same GSA and USCG contracting officers. Both Mr. Beach and Ms. Dillard are familiar about the PCB issue, at least from that point as I communicated with them about it. And for sure, the SBRF and MARAD are familiar with it. The Storis was moored at the SBRF.

If you need anything else, let me know.

Polly Parks

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From: Noggle, William [<mailto:Noggle.William@epa.gov>]

Sent: Sun 10/27/2013 4:40 PM

To: Polly Parks

Subject: RE: Storis being exported in violation of Toxic Substances Control Act

Polly,

You stated that 'EPA accepted the report', whom from EPA accepted the report?

Thanks,

Bill

-----Original Message-----

From: Polly Parks [<mailto:Polly.Parks@emrgroup.com>]

Sent: Sunday, October 27, 2013 6:36 AM

To: grant@pacifictugboats.com; tom@pacifictugboats.com; steve@pacifictugboats.com

Cc: Denise Krepp; Noggle, William; jon.ottman@gmail.com

Subject: Storis being exported in violation of Toxic Substances Control Act

Good morning Mr. Westmoreland, Mr. Fralley, and Mr. Ebner;

Through the AP story, I found out about the Storis being exported to Mexico on Friday. I attach my correspondence with the USCG, GSA, and EPA representatives on Friday as well as the USCG report from 2007 which states the Storis has only had the unencapsulated PCBs removed from it. While I do not, at this time, understand why the EPA accepted the report as the basis for allowing the export of the Storis, it is in violation of TSCA to export PCBs above 50 ppm unless a waiver has been granted by the EPA and a vessel of the age of the Storis will almost certainly have PCBs in excess of that amount that will become unencapsulated while being dismantled in Mexico. Incidentally, as the email trail indicates, the USCG Official tried to pull back the report but it had landed in my inbox already. Please forward this

information onto your client, US Metals Recovery, the Nevada-registered Limited Liability Company, as I am sure company principals do not wish to violate US Federal law. Historically, when federal officials have allowed the TSCA pcb export ban to be violated, it turns into a bilateral problem as the receiving country is a member of the Basel Convention. If, on the other hand, US Metals Recovery has received the PCB export waiver from the US EPA, then you should have ample correspondence from Mexico allowing the import of the hazardous material including PCBs.

I am cc'ing Denise Krepp on this correspondence who has been working with us on a consulting basis this past year. Ms. Krepp is familiar with the Storis. I am also cc'ing Jon Ottman of the Storis Museum effort and William Noggle from EPA headquarters. Please let me know if you require any additional information.

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